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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/422,202

10/19/1999

JAMES D. BENNETT

P99-00-E

5239

7590

10/17/2006

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EXAMINER

SONG, HOSUK

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/422,202	BENNETT ET AL.	
	Examiner	Art Unit	
	HOSUK SONG	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 is/are allowed.
- 6) ☒ Claim(s) 8-10, 14, 15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 11-13, 16-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-10,14-15,18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods et al(US 5,280,430) in view of Binenbaum(US 3,597,538).

Claims 8-10,14: Woods disclose transcribing by a computer aided transcription system, representations of spoken words to text in real time in (col.3,lines 16-23). Woods disclose monitoring by the computer aided transcription system, the transcribing in (fig.1). Woods does not specifically disclose disabling by the computer aided transcription system, the transcribing after a predetermined amount of transcription has been reached. Binenbaum disclose this limitation in (col.3,lines 41-52). It would have been obvious to person of ordinary skill in the art at the time invention was made to disable transcribing after a predetermined amount of transcription has been reached as taught in Binenbaum with CAT system of Woods in order to control and manage the system where user is only entitled to preauthorized amount of transcription time and since the system is disabled after certain amount of time, it prevents unauthorized user from repeated use of the system.

Claims 15,18-20: Woods disclose communicatively coupling a computer aided transcription system to a remote system; transcribing by the computer aided transcription representations of spoken words to text and communicating by the computer aided transcription system the text to the remote system in (fig.1 and col.3,lines 16-23). Woods disclose communicatively coupling a terminal to the remote system; communicating by the remote system at least a portion of the text to the terminal in (col.5,lines 12-32). Woods does not specifically disclose disabling by the computer aided transcription

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system, the transcribing after a predetermined amount of transcription has been reached. Binenbaum disclose this limitation in (col.3,lines 41-52). It would have been obvious to person of ordinary skill in the art at the time invention was made to disable transcribing after a predetermined amount of transcription has been reached as taught in Binenbaum with CAT system of Woods in order to control and manage the system where user is only entitled to preauthorized amount of transcription time and since the system is disabled after certain amount of time, it prevents unauthorized user from repeated use of the system.

Allowable Subject Matter

Claims 1-7 are allowed.

Claims 11-13,16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's Arguments


Applicant's argument filed 2/3/05 has been considered and is persuasive. However, newly discovered prior art has necessitated new grounds of rejections. See new rejections above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


HOSUK SONG
PRIMARY EXAMINER